

REMARKS

The Office Action mailed on September 05, 2006, has been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-7 were pending, **although the Office Action indicates that only claims 1-6 were pending**. By this paper, Applicant cancels claim 4 (incorporating the recitations of claim 4 into claim 1), and does not add any claims. Therefore, claims 1-3 and **5-7** are now pending.

Applicant further amends claim 1 to further clarify the invention. Support for the amendments to claim 1 may be found, among other places, in the figures as originally filed, and pages 4 and 10-12 of the specification as originally filed.

Applicant respectfully submits that the present application is in condition for allowance for at least the reasons that follow.

Acknowledgement of Priority Papers is Requested

Applicant requests that an examiner acknowledge the claim to foreign priority and receipt of the certified copies of the priority documents. The claim to priority was made on June 30, 2006, and the certified copies of the priority documents were submitted to the PTO on that date as well.

Allowable Subject Matter

Applicant thanks Examiner Kalafut for the apparent indication that claims 4-7 are allowable over the prior art once a terminal disclaimer is filed to address the obviousness-type double patenting rejections. In reliance on this indication, Applicant has amended claim 1 to include the recitations of claim 4.

Rejections Under 35 U.S.C. §112, Second Paragraph

In the Office Action, claim 3 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. As seen above, claim 3 has been amended, and Applicant respectfully request reconsideration in view of the amendment.

Obviousness-Type Double Patenting Provisional Rejections

Claims 1 and 4-6 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting in view of co-pending application number 10/608,033. In response, Applicant submits a Terminal Disclaimer along with this letter, and respectfully requests withdrawal of the double patenting rejections in view of the Terminal Disclaimer.

Claim Rejections Under 35 U.S.C. §103(a)

In the Office Action, claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lake (U.S. Patent No. 5,326,652) in view of Gerald (U.S. Patent No. 4,409,304) or MacKay (U.S. Patent No. 5,503,948), and claims 2-3 are rejected in view of either of these combinations when further combined with Takagaki (U.S. Patent No. 4,554,227).

In response, in order to advance prosecution, and without prejudice or disclaimer, Applicant amends claim 1 to include the recitations of formerly pending claim 4, which was not rejected in view of the prior art. Applicant respectfully submits that the rejections under 35 U.S.C. §103 are now moot.

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In view of the Terminal Disclaimer submitted with this letter, Applicant submits that upon entry of the above amendment to claim 1, the pending claims are now allowable.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

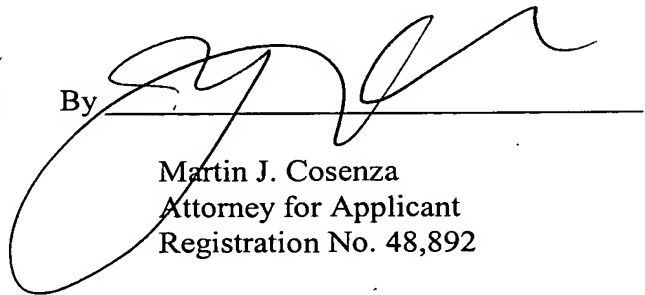
Examiner Kalafut is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

July 03, 2006

By



FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4747
Facsimile: (202) 672-5399

Martin J. Cosenza
Attorney for Applicant
Registration No. 48,892